

L157

Deeks, Ashley S

From: Bellinger, John B(Legal)  
Sent: Tuesday, February 06, 2007 10:09 AM  
To: Deeks, Ashley S  
Subject: FW: New Spain and Portugal Rendition Investigations (to add to Italy and Germany)

FYI...

From: Bellinger, John B(Legal)  
Sent: Tuesday, February 06, 2007 10:08 AM  
To: 'Kyle.Sampson@usdoj.gov'  
Subject: New Spain and Portugal Rendition Investigations (to add to Italy and Germany)

## Judge tells Spain to declassify CIA flight papers

Wed Jan 31, 1:13 PM ET

A judge has ordered Spain's state intelligence agency to declassify any documents it has about secret CIA flights shuttling terrorism suspects, court officials said on Wednesday.

High Court Judge Ismael Moreno issued the order to the National Intelligence Center (CNI) as part of an investigation he began last year to determine whether suspects on CIA flights touching down on the Spanish island of Mallorca were held illegally or tortured, the officials said.

Up to 50 people were moved across Europe in flights to jails in third countries where they faced torture and other abuse, according to European Parliament investigators.

A Council of Europe investigator last year said Spain might have acted in "collusion, active or passive," with secret detentions and unlawful inter-state transfers.

The Spanish government has said it has no knowledge anything illegal took place in its territory. No government spokesman was immediately available to comment on Wednesday's ruling.

Moreno's ruling came as a court in Germany ordered the arrest of 13 people suspected of involvement in the abduction of German national Khaled el-Masri, who says he was kidnapped and tortured by the CIA.

Kuwaiti-born Masri testified about his ordeal to Judge Moreno in October.

## Portugal probes alleged CIA flights

Mon Feb 5, 10:58 PM ET

Portugal's attorney general is opening a criminal investigation into claims that CIA flights, some of them allegedly carrying terror suspects, made stopovers in the country, the state-owned news agency reported on Monday.

The agency Lusa quoted Deputy Attorney General Candida Almeida as saying the investigation had "many leads" to pursue after a Portuguese deputy at the European Parliament presented a dossier of allegations.

"Before, we had no indications (of a crime), but the complaints we have received show areas we might

## UNCLASSIFIED

explore," Almeida was quoted as saying.

Officials at the attorney general's office were not immediately available for comment. But authorities often use Lusa to make official announcements.

The attorney general's decision to launch a formal investigation is embarrassing for the government. Last week, Foreign Minister Luis Amado said authorities had not unearthed any evidence of CIA flights and would not investigate the matter further.

A report published by a European Parliament committee last month said Britain, Poland, Germany, Italy and other EU nations were aware of CIA flights over Europe and of "extraordinary rendition," a practice whereby the U.S. government allegedly sends foreign terror suspects to third countries for interrogation.

It said information from Eurocontrol, the EU's air safety agency, showed that more than 1,200 undeclared CIA flights had entered European airspace since the Sept. 11 attacks in 2001.

Though there was no direct evidence that CIA flights had used Portugal as a stopover, the report urged the government to continue investigating whether they had.

Ana Gomes, a European Parliament deputy, met with the attorney general last week and said she gave him evidence that dozens of CIA planes had landed in Portugal, some of them flying to or from the U.S. military prison for terror suspects at Guantanamo Bay, Cuba.

Gomes said she collected statements from witnesses who claimed to have seen handcuffed prisoners at an airport in Portugal's mid-Atlantic Azores Islands.

She also alleged that local authorities knew Portugal was being used for CIA flights.

A CIA spokesman declined to comment Monday on the allegations.

UNCLASSIFIED